

Restricted Use Permit Application

Thank you for your interest in conducting commercial use on Montana Fish, Wildlife & Parks (FWP) land. The FWP Reference Guide: Commercial Use Permits provides information about FWP commercial permits – please review this reference guide prior to applying for a permit. Complete the following application if you wish to conduct commercial use at a State Park, Wildlife Management Area, or Fishing Access Site. Please contact a FWP Regional Office for information on conducting commercial use on a Restricted River. [Note: The FWP Fishing Access Site (FAS) Permit, required of water-based outfitters and guides, is issued through the automated license system – do not use this application to apply for a FAS Permit!]

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10. Location, Timing, and Volume of Use. Please specify the name(s) of FWP sites where you propose to conduct commercial use, the dates, timing, and number of participants.

Examples:

Site Name: Bannack State Park
Date(s) of Proposed Use: July 17
Timing of Proposed Use: 8:00 a.m. – 12:00 p.m.
Number of People Participating: 1

Site Name: Blacks Ford Fishing Access Site
Date(s) of Proposed Use: Weekends, July and August
Timing of Proposed Use: 8:00 a.m. – 4:00 p.m.
Number of People Participating: 3

Site Name: _____
Date(s) of Proposed Use: _____
Timing of Proposed Use: _____
Number of People Participating: _____

Site Name: _____
Date(s) of Proposed Use: _____
Timing of Proposed Use: _____
Number of People Participating: _____

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Date(s) of Proposed Use: _____
Timing of Proposed Use: _____
Number of People Participating: _____

- ☐ **I am an individual (one-person crew only) interested in an annual permit to conduct still photography or filming at all FWP sites. (Please use the space above to identify the primary sites where you anticipate conducting commercial use. It is not necessary to include the dates and timing of the use.)**

11. ALL APPLICANTS – Signature Required

I certify that the information given by me in this application is true, accurate, and complete to the best of my knowledge. I further understand that the provision of false information, or the failure to keep this application or other permit information updated, are grounds for probation, suspension, or revocation of the permit. I agree to comply with the general terms and conditions printed on page 3 of this application. I understand that FWP may identify additional terms and conditions for specific sites and that these will be listed on the permit.

Applicant Signature: _____ Date: _____

Still Photography and Filming (one-person crew only): Please mail your completed application and \$50 permit fee to FWP Headquarters, ATTENTION: COMMERCIAL USE PERMIT, 1420 East Sixth Avenue, PO Box 200701, Helena, MT 59620-0701. Cashier's check, money order, or check payable to MT FWP. Nonresidents: Cashier's check or money order only.

Other Commercial Use: Please mail your completed application to the FWP Regional Office that oversees the site where you wish to conduct use. Upon authorization of your permit application FWP will send you a permit that specifies the locations and time periods the permit is valid and the amount of the permit fee.

Application Deadlines:

Still Photography and Filming (Statewide Permit, One-person Crew): No deadline.

State Parks, Fishing Access Sites: A minimum of 10 days before the use is intended to occur.

Wildlife Management Areas: No deadline for 2008. Please check with FWP regarding 2009 deadline.

Restricted Rivers: Application deadlines vary. Contact FWP for more information.

FWP may consider applications received after these deadlines on a case-by-case basis.

Phone (406) 444-3888 or email csperry@mt.gov for more information on conducting commercial use on FWP land.

Permit Terms and Conditions (Please keep this page in your files)

These are the general terms and conditions that apply to all Restricted Use Permits. FWP may identify special terms and conditions for individual sites. A person receiving a Restricted Use Permit agrees to abide by the terms and conditions listed below. Failure to comply may result in a citation and/or revocation of the permit.

1. Permittee must comply with all FWP rules and regulations.
2. The permittee shall ensure that all persons operating under the authorization have obtained all required Federal, State, and local licenses or permits. The permittee is responsible for ensuring that all agents of the permittee comply with the terms of the permit. The permittee shall make every reasonable effort to ensure compliance with these requirements by all clients, customers, participants, or spectators under the permittee's supervision.
3. This Restricted Use Permit is not a property right and no value shall be assigned to or claimed for the permit, or for the occupancy or use of federal and state lands or related waters granted thereupon. The permit privileges are not to be considered property on which the permittee shall be entitled to earn or receive any return, income, price or compensation. The use of a permit as collateral is not recognized by FWP. The permit is not transferable and is void when a business is sold or transferred. Upon the sale or transfer of a permitted business, the permittee shall notify the new owner that they are required to obtain a new permit.
4. All advertising and representations made to the public and the authorized officer must be accurate. Although the addresses and telephone numbers of the FWP may be included in advertising materials, official agency symbols may not be used. The permittee shall not use advertising that attempts to portray or represent the activities as being conducted by FWP. The permittee may not portray or represent the permit fee as a special State tax charged to the user. The permittee must furnish the authorized officer with any current brochure and price list if requested by the authorized officer.
5. The permittee will provide for the safety and well being of the public participating in the activity. This includes having adequate first aid and safety equipment on hand while performing the permitted activities.
6. In the event of default on any mortgage or other indebtedness, such as bankruptcy, creditors shall not succeed to the operating rights or privileges of the permittee.
7. The permittee must have a copy of the permit or other FWP-provided proof of authorization on their person or readily available for inspection by FWP staff.
8. The authorized officer, or other duly authorized representative of FWP, may examine any of the records or other documents related to the permit, the permittee or the permittee's operator, employee, or agent for up to 3 years after the expiration of the permit.
9. The permittee must notify the nearest FWP regional office within 24 hours of any observed hazards, safety problems, accidents or incidents.
10. FWP may require the permittee to possess and maintain a liability policy that names the State of Montana – FWP as additionally insured and provide FWP a copy of the Policy or Insurance Certificate prior to final approval of this permit. The minimum limits of liability insurance shall be determined based on the assessed risk of the activity and guidelines provided by the Risk Management and Tort Defense division of the Montana Department of Administration. A liability policy is not required for still photography and filming (one-person crew only).
11. The permittee and Independent Contractors providing services authorized by this permit must comply with State of Montana Worker's Compensation laws. This can be accomplished through purchasing a Worker's Compensation insurance policy, having an exemption under the law, or obtaining an Independent Contractor Exemption Certificate. Contact the Montana Dept. of Labor and Industry for specific details at 406-444-2840.
12. FWP reserves the right to put a permittee on probation; suspend or revoke a permit; refuse to issue a permit for subsequent years; and/or issue a Notice to Appear citation for reasons such as, but not limited to the following: Violation of FWP Commission and administrative rules, regulations or policies and/or failure to comply with terms, conditions, or stipulations of this permit.
13. Commercial use must not unduly conflict with existing use.
14. FWP reserves the right to alter the terms, conditions, or stipulations of a permit at any time for reasons such as significant policy changes, administrative procedure changes, stipulation changes, impacts to resource values, user conflicts, etc.

FWP Commercial Use Permit Fee Schedule

There is a fee for commercial use occurring on FWP lands. Permit fees vary depending on the type activity. The \$50 fee for still photography and filming (one-person crew, statewide permit) is due with your application. All other permit fees are due by the time specified on the permit.

Primary Type of Use:	Fishing Access Site Permit Fee:	Restricted Use Permit Fee:
Water-based Outfitter: Angling	\$ 100 /year	A) 3% of unadjusted income; B) \$5 per client day conducted; or C) \$4 per allocated client day.
Water-based Outfitter: Non-angling	\$ 100 /year	A) 3% of unadjusted income; B) \$2 per client day conducted; or C) \$1 per allocated client day.
Water-based Guide	\$ 100 /year	N/A
Guided Tour or Trip	N/A	A) 3% of unadjusted income; or B) \$2 - \$10 per client day.
Special Events	N/A	A) \$10 - \$50 per day; or B) \$2 - \$10 per participant.
Vending	N/A	A) 3% of unadjusted income; or B) \$10 - \$50 per day.
Still Photography and Filming	N/A	1 person crew: \$25 per day or \$50 per year; 2 to 5 person crew: \$50 per day; 6 to 20 person crew: \$100 per day; 21 – 35 person crew: \$200 per day; 36 – 50 person crew: \$300 per day; 51 or more person crew: \$400 per day.
Non-service and Consumptive Use	N/A	\$10 - \$300 per day.

FWP Regional Offices

Kalispell

FWP Region 1
490 North Meridian Rd
Kalispell, MT 59901
(406) 752-5501

Bozeman

FWP Region 3
1400 South 19th Ave
Bozeman, MT 59718
(406) 994-4042

Billings

FWP Region 5
2300 Lake Elmo Dr
Billings, MT 59105
(406) 247-2940

Miles City

FWP Region 7
Industrial Site West
PO Box 1630
Miles City, MT 59301
(406) 234-0900

Missoula

FWP Region 2
3201 Spurgin Rd
Missoula, MT 59804
(406) 542-5500

Great Falls

FWP Region 4
4600 Giant Springs Rd
Great Falls, MT 59405
(406) 454-5840

Glasgow

FWP Region 6
Route 1 - 4210
Glasgow, MT 59230
(406) 228-3700

